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**Datasheet for the decision  
of 11 December 2009**

**Case Number:** T 1610/09 - 3.5.05

**Application Number:** 06121383.1

**Publication Number:** 1770947

**IPC:** H04L 29/06

**Language of the proceedings:** EN

**Title of invention:**

Method and apparatus for providing endpoint and access independent virtual numbers

**Applicant:**

AT&T Corp.

**Opponent:**

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**Headword:**

Endpoint and access independent virtual numbers/AT&T

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Relevant legal provisions (EPC 1973):**

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**Keyword:**

"Missing statement of grounds"

**Decisions cited:**

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**Catchword:**

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Case Number: T 1610/09 - 3.5.05

**D E C I S I O N**  
of the Technical Board of Appeal 3.5.05  
of 11 December 2009

**Appellant:**

AT&T Corp.  
32 Avenue of the Americas  
New York  
NY 10013-2412 (US)

**Representative:**

Harding, Richard Patrick  
Marks & Clerk LLP  
4220 Nash Court  
Oxford Business Park South  
Oxford OX4 2RU (GB)

**Decision under appeal:**

Decision of the Examining Division of the  
European Patent Office posted 17 February 2009  
refusing European application No. 06121383.1  
pursuant to Article 97(2) EPC.

**Composition of the Board:**

**Chairman:** D. H. Rees  
**Members:** P. Cretaine  
F. Blumer

## **Summary of Facts and Submissions**

I. The appellant contests the decision of the examining division of the European Patent Office dated 17 February 2009 refusing European patent application No. 06121383.1.

The appellant filed a notice of appeal on 24 March 2009 and paid the appeal fee on 25 March 2009.

A written statement setting out the grounds of appeal was not filed within the four-month time limit provided for in Article 108 EPC. Nor did the notice of appeal contain anything that might be considered as such statement.

II. In a communication dated 10 August 2009, the Board informed the appellant that no statement setting out the grounds of appeal had been received and that the appeal could be expected to be rejected as inadmissible. The appellant was informed that any observations should be filed within two months.

III. The appellant filed no observations in response to said communication.

## **Reasons for the Decision**

As no written statement setting out the grounds of appeal was filed within the time limit provided for in Article 108 EPC, the appeal is inadmissible pursuant to Rule 101(1)EPC.

**Order**

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar

The Chairman

K. Götz

D. Rees